

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GERALDINE WILLIAMS,

Plaintiff,

v.

CIV 12-0716 MCA/LAM

**MALCOLM CURTIS and
EL PASO NATURAL GAS CO., INC.,**

Defendants.

**ORDER DENYING WITHOUT PREJUDICE MOTION FOR EXPEDITED ORDER TO
SHOW CAUSE AND TO ENFORCE SUBPOENA AGAINST NON-PARTY**

THIS MATTER is before the Court on Defendant El Paso Natural Gas Co., Inc.'s *Motion for Expedited Order to Show Cause and to Enforce Subpoena Against Non-Party Gallup Indian Medical Health Center* (Doc. 123), filed September 12, 2013. Under the Court's local rules, a "[m]ovant must determine whether a motion is opposed, and a motion that omits recitation of a good-faith request for concurrence may be summarily denied." D.N.M.LR-Civ. 7.1(a). The Court explained to all parties at the Rule 16 Initial Scheduling Conference held in this case that it would summarily deny any motion that was silent regarding concurrence of the parties. Since Defendant El Paso Natural Gas Co., Inc.'s motion is silent as to the concurrence of Plaintiff, Defendant Curtis, and non-party Gallup Indian Medical Health Center, the Court will deny the motion, without prejudice, with leave to file it again if Defendant El Paso Natural Gas Co., Inc. so chooses.

IT IS THEREFORE ORDERED that Defendant El Paso Natural Gas Co., Inc.'s *Motion for Expedited Order to Show Cause and to Enforce Subpoena Against Non-Party Gallup Indian Medical Health Center* (Doc. 123) is **DENIED** without prejudice.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE